सत्यमेव जयते
Government Of Rajasthan

fssai
FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA
Inspiring Trust, Assuring Safe & Nutritious Food
Ministry of Health and Family Welfare, Government of India

Genesis of FSS Act 2006

Induction training programme for Food Safety Officers
Jaipur, Rajasthan

12.01.2026

प्रशंसा सिंह
सहायक निदेशक (तकनीकी)
भारतीय खाद्य संरक्षा एवम मानक प्राधिकरण स्वास्थ एवं परिवार कल्याण मंत्रालय

Objectives of the Session

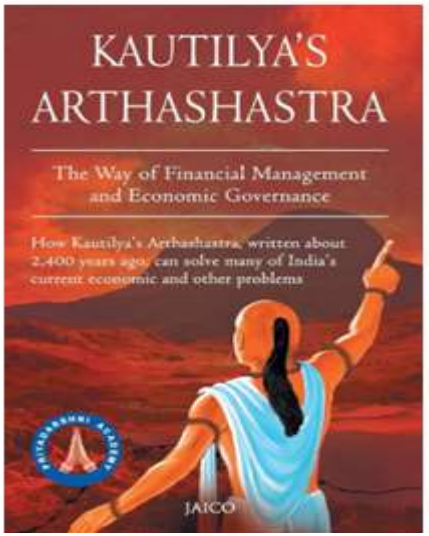
- Understand the historical background of food laws in India before 2006
- Analyze challenges and limitations of the pre-FSS Act regulatory framework
- Explore the rationale for reform and the need for a unified food law
- Examine global influences, including WTO/SPS and Codex standards
- Trace the process of drafting and enacting the FSS Act, 2006
- Identify key stakeholders in the Act's formulation
- Review objectives and guiding principles of the FSS Act
- Learn about FSSAI's establishment and its transformative role
- Grasp the transition to a single-window system

Historical Roots of Food Safety in India

Ancient Period- (India's First Probable Food Law)

- Kautilya's Arthashastra and Manu Smriti established early food quality principles and penalties for adulteration in ancient India
- In *Arthashastra* by Kautilya; as a Separate Chapter entitled ***"Kantaka Sodhana***".
- It was duty of King's officials to book the adulterant.
- Summary:-
  - For Missing similar objects in grains, fats, sugars, etc. *Twelve Panas (Silver Coins)*
  - Selling article of food not of nature, substance demanded *Fifty-Four* Panas
  - Selling of unhealthy meat *Twelve Panas*
  - For Adulteration of Salt Highest fine for Violence
  - Compelled adulterants to make Compensations.
  - Punishments were based on seriousness of the offense.

321 BCE

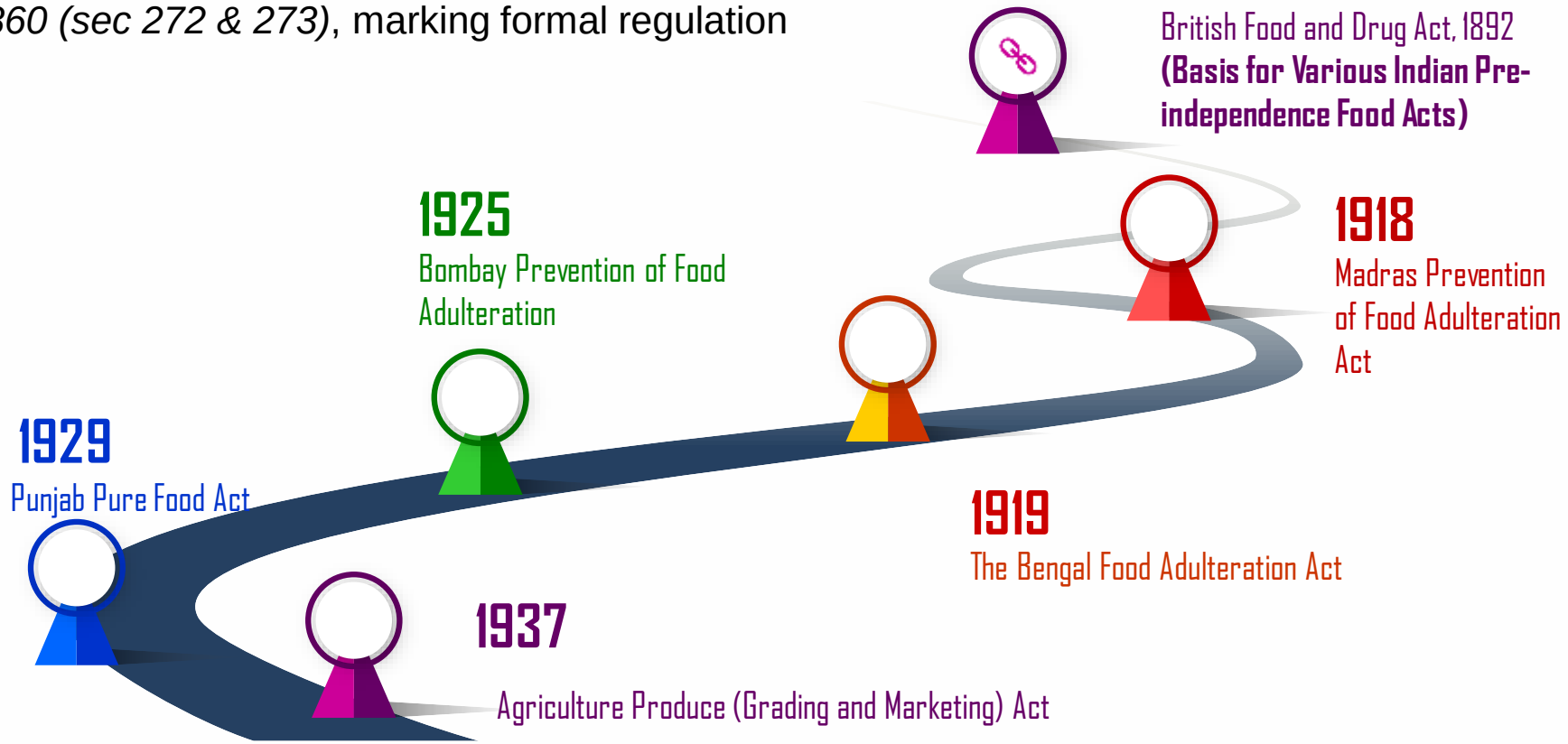

KAUTILYA'S
ARTHASHASTRA
The Way of Financial Management and Economic Governance
How Kautilya's Arthashastra, written about 2,400 years ago, can solve many of India's current economic and other problems
JAICO

1610

Formalized Market Inspector known as Ameen/Shahabaz/Shahi/Hammal

Pre Independence Food Laws in India

Colonial Era- British administration introduced the Law *Commission and provincial food laws*, including *the IPC 1860 (sec 272 & 273)*, marking formal regulation



Pre Independence Food Laws in India

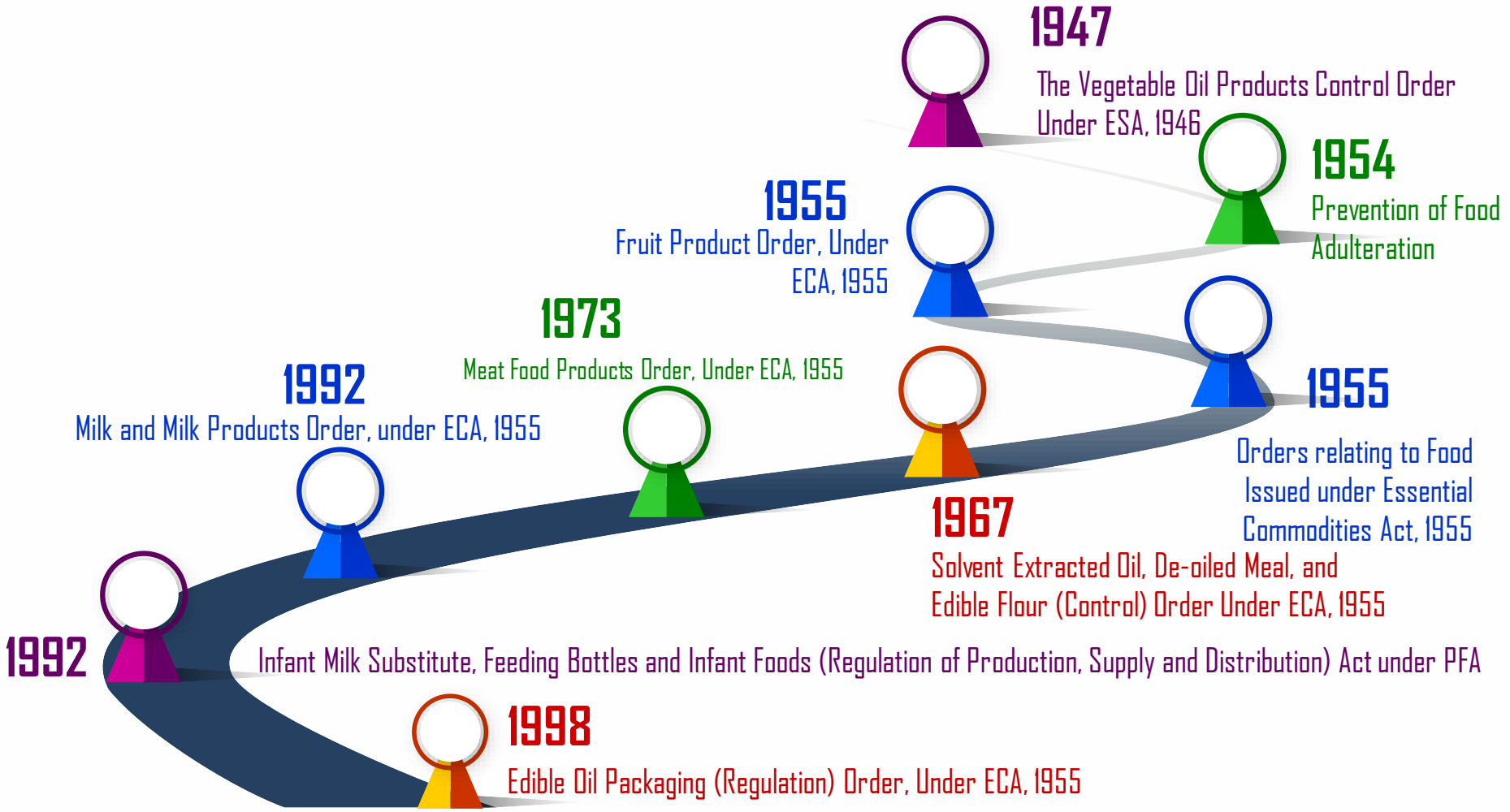
Colonial Era- provision still in practice ?

Section 272 and 273 of IPC

272. Adulteration of food or drink intended for sale.—Whoever adulterates any article of food or drink, so as to make such article noxious as food or drink, intending to sell such article as food or drink, or knowing it to be likely that the same will be sold as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

273. Sale of noxious food or drink.—Whoever sells, or offers or exposes for sale, as food or drink, any article which has been rendered or has become noxious, or is in a state unfit for food or drink, knowing or having reason to believe that the same is noxious as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Post Independence Food Laws in India


1947
The Vegetable Oil Products Control Order Under ESA, 1946
1954
Prevention of Food Adulteration
1955
Fruit Product Order, Under ECA, 1955
1955
Orders relating to Food Issued under Essential Commodities Act, 1955
1973
Meat Food Products Order, Under ECA, 1955
1992
Milk and Milk Products Order, under ECA, 1955
1967
Solvent Extracted Oil, De-oiled Meal, and Edible Flour (Control) Order Under ECA, 1955
1992
Infant Milk Substitute, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act under PFA
1998
Edible Oil Packaging (Regulation) Order, Under ECA, 1955

*State-specific legislation emerged in Assam, Bengal, Bihar, and Punjab

Fragmented Regulatory Landscape before 2006

Food safety governance was divided across multiple ministries and legislation, creating complexity and inconsistency in enforcement across India's diverse food sectors.

Law/Order	Year	Scope/Ministry
Prevention of Food Adulteration Act	1954	All food products; Ministry of Health & Family Welfare
Fruit Products Order	1955	Fruits/vegetables; Ministry of Food processing Industries
Meat Food Products Order (MFPO)	1973	Meat; Ministry of Food Processing Industries
Vegetable Oil Products (Control) Order	1947	Oils; Ministry of Consumer affairs, Food and public distribution
Edible Oils Packaging (Regulation)	1998	Oil packaging; Ministry of Consumer affairs, Food and public distribution
Solvent Extracted Oil Order	1967	Oil extraction; Ministry of Consumer affairs, Food and public distribution
Milk and Milk Products Order (MMPO)	1992	Dairy; Ministry of Agriculture & Farmers Welfare

This fragmentation resulted in overlapping jurisdictions, conflicting standards, and significant challenges for both industry compliance and effective enforcement

Critical Challenges of the Pre 2006 Framework

Fragmented Governance

Multiple ministries operated with overlapping jurisdictions, creating confusion and inconsistent enforcement across different food categories and regions.

Reactive Approach

The system was primarily punitive rather than preventive, focusing on punishment after incidents rather than proactive risk management and mitigation.

Legal Loopholes

Economic adulteration often went unpunished due to inadequate legal provisions, allowing unscrupulous actors to exploit gaps in the regulatory framework.

Limited Scientific Infrastructure

Inadequate laboratories, outdated testing methods, and absence of comprehensive risk assessment capabilities undermined effective food safety monitoring.

Emerging Challenges Unaddressed

Novel foods, GM Food products, environmental contaminants, and modern supply chains were poorly covered by existing legislation.

Case for Comprehensive Reform

- Complex Supply Chain
- Globalization & modern distribution networks demanded integrated oversight

- Rising Health Concerns
- Increased adulteration and contamination incidents threatened public health

- International Alignment
- Need to harmonize with Codex and WTO/SPS standards for global trade

- Science based Regulation
- Shift toward risk assessment and evidence-based policy making

- Desire for a single-window system for licensing and enforcement
- Centralization for uniformity and efficiency

The evolving food industry, globalization, and rising public health concerns necessitated a shift from fragmented laws to a **unified, science-based regulatory framework**. The FSS Act was envisioned to streamline governance, enhance consumer protection, and facilitate trade.

Global Developments- WTO/SPS Agreement and Codex Influence

WTO/SPS Agreement

The World Trade Organization's Agreement on Sanitary and Phytosanitary Measures established international benchmarks for food safety in trade, requiring member nations to base regulations on scientific principles and risk assessment.

Codex Alimentarius

International food standards developed by FAO and WHO provided the scientific foundation for harmonized global food safety standards, influencing India's regulatory modernization.

Risk Assessment Protocols

- Science-based evaluation of food hazards became the cornerstone of modern regulation

Transparency Requirements

- International standards demanded open, consultative processes in standard-setting

Trade Facilitation

- Alignment with Codex standards enabled smoother export-import operations for Indian food businesses

Genesis of Food Safety and Standards Act, 2006

The Timeline emphasizing the Need

1998	Prime Minister's Council on Trade and Industry appointed a Subject Group on Food and Agro Industries, which had recommended for one comprehensive legislation on Food with a Food Regulatory Authority concerning both domestic and export markets
2004	Joint Parliamentary Committee (JPC) on Pesticide Residues in its report in 2004 emphasized the need to converge all present food laws and to have a single regulatory body.
April, 2005	Standing Committee of Parliament on Agriculture in its 12th Report submitted in April, 2005 desired that the much-needed legislation on Integrated Food Law should be expedited

Genesis of Food Safety and Standards Act, 2006

The Action towards the Act

1) The then *Member Secretary*, **Law Commission of India**, asked to make a comprehensive review. He referred various international law/agreements/insruments/including:
   - FAO Guidelines for strengthening national food control system, 2003
   - European Food Safety Authority, 2002
   - US FDA
   - Food Standards Australia New Zealand, 2002
   - Indepth Survey of International Scenario and made Recommendations

2) **Member Secretary** *recommended* that the new Food Law be seen in the overall perspective of **promoting nascent food processing industry**. Proposed **Integrated Food Law** as modernisation and convergence of regulations of Food Standards with the **Elimination of multi-level and multi-departmental control**

Genesis of Food Safety and Standards Act, 2006

- **Emphasis was on :-**
  - (a) Responsibility with manufacturers
  - (b) Regulate genetically modified and functional foods
  - (c) Emergency control
  - (d) Risk analysis and communication and
  - (e) Food safety and good manufacturing practices and process control. viz, Hazard Analysis and Critical Control Point.
- In this background the ***Group of Ministers*** constituted by the Government of India held extensive delebrations and approved the proposed Integrated Food Law with certain modifications
- The Integrated Food Law has been named as The Food Safety and Standards Bill, 2005". Objectives of bill were proposed.

Genesis of Food Safety and Standards Act, 2006

Features of Food Safety and Standards Bill, 2005

(a) Movement from multi-level and multi departmental control to **Integrated line of command**;

(b) Integrated **response to strategic issues** like novel/genetically modified foods, international trade;

(c) Licensing **Decentralized** to the Commissioner of Food Safety and his officer;

(d) **Single reference point** for all matters relating to Food Safety and Standards regulations and enforcement

(e) Shift from **regulatory regime to self-compliance** through Food Safety Management Systems

(f) Responsibility on **FBO** to ensure that food processed, manufactured imported or distributed is in compliance with the domestic food laws, and

(g) Provision for **graded penalties**. Civil penalties for minor offences and punishment for serious violations.

Genesis of Food Safety and Standards Act, 2006

The Timeline emphasizing the Action

25 August 2005	FSS Bill, 2005 (123 of 2005) was Introduced in Lok Sabha
30 August 2005	Referred to Standing Committee
21 February 2006	Report submitted by Standing Committee
26 July 2006	Passed in Lok Sabha
02 August 2006	Passed in Rajya Sabha
23 August 2006	Date of Enactment of Food Safety and Standards Act, 2006
5th September 2008	Establishment of Food Safety and Standards Authority of India (FSSAI)
5 August 2011	Implementation of FSSA, 2006, Rules and Regulations thereunder

Paradigm Shift from PFA to FSSA

PFA, 1955	FSSA, 2006
Several Authorities	Single Authority
PFA, 1955	FSSA, 2006
Adulteration	Safety
PFA, 1955	FSSA, 2006
Prescriptive Standards	General Standards
PFA, 1955	FSSA, 2006
Inspection	Self Compliance

Journey to Enactment

2003-2005

Extensive consultations with expert committees, stakeholder meetings, and multi-ministry deliberations shaped the draft legislation

August 23, 2006

Presidential assent granted to the Food Safety and Standards Act, marking a historic milestone in Indian food safety governance

2008

Food Safety and Standards Authority of India (FSSAI) established as the apex regulatory body

2011

Comprehensive regulations notified and Act became fully operational, replacing fragmented legacy laws

2011-2025

Continuous evolution through amendments, new regulations, and adaptation to emerging food safety challenges

The FSS Act represented years of collaborative effort, synchronizing domestic needs with international best practices to create a world-class food safety framework.

Post Consolidation Era

FOOD SAFETY AND STANDARDS ACT, 2006

No. 34 OF 2006

[23rd August, 2006]

An Act to consolidate the laws relating to food and to establish the Food Safety and Standards Authority of India for laying down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import, to ensure availability of safe and wholesome food for human consumption and for matters connected therewith or incidental thereto.

THE *JAN VISHWAS* (AMENDMENT OF PROVISIONS) ACT, 2023

No. 18 OF 2023

[11*th August*, 2023.]

An Act to amend certain enactments for decriminalising and rationalising offences to further enhance trust-based governance for ease of living and doing business.

BNS Section 274 &275

Adulteration of food or drink intended for sale.

274. Whoever adulterates any article of food or drink, so as to make such article noxious as food or drink, intending to sell such article as food or drink, or knowing it to be likely that the same will be sold as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both.

Sale of noxious food or drink.

275. Whoever sells, or offers or exposes for sale, as food or drink, any article which has been rendered or has become noxious, or is in a state unfit for food or drink, knowing or having reason to believe that the same is noxious as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both.

One Nation, One Food Law
» Have globally benchmarked food standards and practices
» Ensure consistency in enforcement
» Manage food testing with standardised testing methods and protocols

Thank You